

**THE VIRGINIA BOARD FOR
WATERWORKS AND WASTEWATER WORKS OPERATORS**

MEETING MINUTES

The Virginia Board for Waterworks and Wastewater Works Operators met on Wednesday, March 7, 2007 at the offices of the Virginia Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia 23230.

The following members of the Board were present:

Eileen M. Leininger
John W. Vanderland
Frank L. Davis, Jr. Vice-Chair
Dr. J. Wesley Kleene

Harold Walker and Steve Cawthron were unable to attend.

The following members of DPOR staff were present during some or all of the meeting:

Jay W. DeBoer, Director
David Ashe, Chief Deputy Director
Karen O'Neal, Deputy Director for RPD
David Dick, Executive Director
Sharon Sweet, Director of Education & Examinations
Earlyne Perkins, Legal Analyst
Marilyn Cohn, Administrative Assistant

Elizabeth Peay of the Office of the Attorney General was present during the meeting.

Vice Chair Frank Davis, Jr., finding a quorum of the Board present, **Call to Order** called the meeting to order at 9:25 AM.

The agenda was amended to include DEQ Training Request and Legislative Update under Other Business which was unanimously approved by the following board members: Leininger, Kleene, Davis and Vanderland. **Adopt Agenda**

Ms Leininger moved that the Board approve the minutes of its December 6, 2006 meeting and the IFF minutes of February 15, 2007. Dr. Kleene seconded the motion which was unanimously approved by the following members: Leininger, Kleene, Davis and Vanderland. **Approval of Minutes**

Vice Chairperson Davis opened the floor for public comment. No member of the public present expressed a desire to address the Board. **Public Comment Period**

In the matter of **File Number 2007-03077, Michael Gerald Dickison**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation. Upon a motion by Mr. Vanderland and seconded by Ms Leininger, the Board adopted the summary and recommendation and approved the application for Class IV Wastewater Works Operator license for Michael Gerald Dickison. The motion was unanimously approved by the following members: Leininger, Kleene, Davis and Vanderland.

File Number
2007-03077

Ms Sharon Sweet, Director of the Office of Education and Examinations provided the board with updated examination statistical data regarding candidate performance and pass rates which the Board had requested for review at the December meeting.

Examination
Statistics Report

David Dick reviewed the CPE Audit procedures used during the 2005 audit and recommended using the same procedure for 2007. Upon motion by Dr. Kleene and seconded by Ms Leininger, the Board accepted the following procedure for 2007.

Other Business

Five percent of those holding a current and non-stopped waterworks operator license, EXCLUDING:

- Those selected for audit during the March 1, 2001 to February 28, 2003 and those selected during the March 1, 2003 to February 28, 2005 CPE audit.
- Those that have held their CURRENT CLASS of license less than two years on February 28, 2007.

Staff will send audit letters to all licensees that failed to complete the training in a timely manner during the 2003 and 2005 audits.

Staff is authorized to offer a consent order to those that fail to document that they completed the CPE within the March 1, 2005 to February 28, 2007 time frame with the following terms:

- A \$100 fine,
- Up to six months to complete the required CPE, the exact amount of time allowed is up to the discretion of staff,
- Failure to complete the CPE within the time allotted by staff will result in an additional \$300 fine, and
- Failure to complete the CPE within 30 days after the amount of time allowed by staff will result in license suspension until such time as the CPE is documented to staff.

Said consent order offers will not go into effect until ratified by the Board at a Board meeting. The Board expects that those agreeing to a consent order will have made at least some progress toward meeting the CPE requirement by the time the consent order comes before the Board for a vote.

Staff will attempt to time the mailing of the audit and the response due date to minimize the amount of delay between the acceptance by the licensee of the consent order terms and the next Board meeting.

The motion was unanimously approved by the following members: Leininger, Kleene, Davis and Vanderland.

Mr. Dick presented the House Bill No. 3134 and Senate Bill No. 1270 passed by the 2007 Virginia General Assembly Session. Although passed by the General Assembly, the legislation is subject to the Governor's signing. The bills change the composition of the Board and add new professions to be regulated. No action taken by the Board.

The Virginia Department of Environmental Quality's submitted an application for approval of training course in basic lab skills and requested that those completing the course be awarded 1.0 training credits. Upon motion by Dr. Kleene and seconded by Ms Leininger, the motion to approve the basic lab skills course for 1.0 training credits was unanimously approved by the following members: Leininger, Kleene, Davis and Vanderland.

Future Board Meeting Dates:

June 20, 2007
September 19, 2007
December 5, 2007

**Future Meeting
Dates**

Board members completed their conflict of interest forms and travel vouchers.

**Conflict of
Interest Forms**

The Board adjourned at 10:15 A.M.

Adjournment

Frank L. Davis, Jr. Vice-Chairperson

Jay W. DeBoer, Secretary